

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Richard W. Wien et al.

**USE OF DERIVATIZED
NANOPARTICLES TO
MINIMIZE GROWTH OF
MICRO-ORGANISMS IN HOT
FILLED DRINKS**

U.S. Serial No. 10/823,443

Filed: April 13, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Group Art Unit: 1724

Examiner: Peter A. Hruskoci

Confirmation No.: 4807

Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

The owner, Eastman Kodak Company of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second U.S. Patent Application Serial No. 10/936,915. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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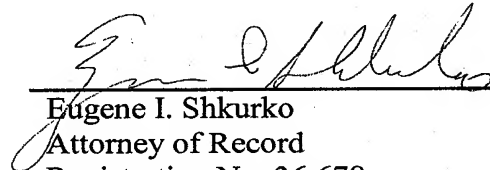
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The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

☒ The undersigned is an attorney of record.
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11-30-07
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